IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

WP(C).No. 30219 of 2007(V)

PETITIONER:

U.CHANDRAN,
S/O THOTTUKARA DEVAKI,
THRICHAMBARAM, TALIPARAMBA,
KANNUR.

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS:

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1. SECRETARY,
TALIPARAMBA CO-OP. URBAN BANK LTD.,
KANNUR.

2. ASSISTANT REGISTRAR OF CO-OP.
SOCIETIES, TALIPARAMBA,
KANNUR.

3. REGISTRAR OF CO-OP. SOCIETIES,
THIRUVANANTHAPURAM.

4. JOINT REGISTRAR OF CO-OP. SOCIETIES,
KANNUR.

R1 BY ADV.SRI.MILLU DANDAPANI
R2 TO R4 BY GOVT.PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.30219 of 2007-V

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Dated this the 24th day of October, 2007.

JUDGMENT

1. Heard the learned counsel for the petitioner and the learned counsel for the first respondent, as also the learned Government Pleader.

2. The complaint of the petitioner is that in spite of Ext.P9, he has not been given the benefits of Ext.P3 governing One Time Settlement scheme. Though the issue may not involve a disputed monetary claim as such requiring to be ordered upon, the matter cannot gain the attention of the writ court, as of now, because, the benefits of Ext.P3 circular have to be applied in arriving at the amounts, if any that may have to be paid back by the bank to the petitioner. Under such circumstances, because Ext.P9

adalath was presided by the Joint Registrar, I deem it appropriate that the issue gains the attention of the Registrar of Co-operative Societies.

For the aforesaid reasons, this writ petition is disposed of directing that if the petitioner makes appropriate representation before the 3rd respondent clearly stating his specific grievances as regards Ext.P9, the same will be looked up by the 3rd respondent with notice to the 1st respondent, in accordance with law and in terms of Ext.P3 circular, if applicable. Such decision shall be taken within an outer limit of four months from the date of receipt of a copy of this judgment and the copy of the representation as directed above, whichever is later.

Sd/-
THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/

-true copy-

P.S.to Judge.